

**REMARKS**

Claims 1-11, all the claims pending in the application, stand rejected. Claim 1 is amended.

***Claim Rejections – 35 USC 102***

Claims 1-11 are rejected under 35 USC 102(b) as being anticipated by Pomerleau (5,091,780). This rejection is traversed for at least the following reasons.

The applicants note that the examiner has raised a single novelty objection against the current claims of the application and has cited a single document, US 5,091,780 (Pomerleau) in support of same.

In response to the examiner's novelty rejection, claim 1 now has been amended to further define that the parameters and sectors of the monitoring system are manually set by the user.

New amended claim 1 now reads:

"A method of operating a monitoring system using an image capture device, the method characterised by the steps of

a) manually defining a number of sectors on the field of view of the image capture device, and

b) manually assigning at least one independent monitoring parameter to each of the sectors, and

c) manually assigning at least one independent control parameter to each of the sectors, and

d) signaling different and independent outputs for the sectors depending on the independent control parameter or parameters assigned to each sector. "

Support for the amendment can be seen on page 4, line 6 of the specification where it says "the sectors can overlap if desired by the operator". This passage dictates that the operator manually sets the sectors. Further support for this amendment can be seen on page 4, line 9

which specify that "the sectors may be chosen in a position to cover certain areas" which indicate that the sectors are chosen rather than learnt. Support for this amendment can also be seen on page 4, lines 15 and 16, which specifies that the parameters are 'assigned' to each sector. Further, on page 5 line 11 it says there is "a variety of control parameters that is possible to assign to a sector". This shows that the control parameters are also user assigned.

### **Pomerleau**

Applicants note that Pomerleau references the processing device being "trainable" (abstract), the security system "learning" to discriminate between different sectors (column 7 lines 55 to 68, column 8 lines 1 to 16), and using these discrimination characteristics to "learn to produce an appropriate response" (columns 9 lines 54 to 57), as well as referencing a "training step" which assigns control parameters (column 5 lines 50 to 62).

The reference clearly shows a system that is automatically learning, rather than a system in which the operator manually assigning set sectors.

The individual and explicit assignment of sectors directly by a user gives a significant degree of flexibility and fine operational control compared to the present technology claimed over the approach taken by Pomerleau. Users may forego the need to run through multiple training scenarios to quickly and accurately define sectors they believe are of interest to their own operations manually.

This manual approach means the learning phase required by the Pomerleau system is not needed, which in turn speeds up the installation and implementation of a monitoring system. Furthermore, a monitoring system provided in accordance with the present application can have a reasonably simple user interface facility eliminating the need to guide training users through multiple training scenarios in prior to the monitoring system becoming operational.

Of further significance to the cost effectiveness of the system, the present invention does not require neural network technology, allowing relatively low capacity and cost processing hardware to be used.

Amendment under 37 C.F.R. § 1.116  
Application No. 09/890,869

Furthermore, the independent manual assignment of monitoring parameters and the independent manual assignment of control parameters allows a monitoring system be provided with a significant degree of functional flexibility. One or more control parameters may be manually assigned giving a wide number and range of combinations and permutations of operational behaviors that can be manually assigned directly and rapidly by a user.

Applicants respectfully submit that the amendment does not raise new issues and that a new search would not be needed, as the Examiner would already have searched the relevant art and would have found manual assignment, if it had existed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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